

REMARKS

The drawings were rejected under 37 CFR § 1.83(a). The Examiner asserts that the code tree recited in claim 13 is not shown in the drawings. The Applicants respectfully disagree. The code tree is shown in Figure 1, element 134.

Claims 1-15 are pending in this application.

Claims 1-14 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 2, 5, and 13 have been amended to correct the antecedent basis issues. In regard to claim 2, the term "a Node B" is not indefinite and refers to a particular component of a wireless communication system, and is a term regularly used by one skilled in the art.

Claim 15 stands rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,721,568 to Gustavsson et al. (hereinafter "Gustavsson"). Claims 1, 3-4, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0081569 to Sexton et al. (hereinafter "Sexton") in view of U.S. Patent No. 5,579,306 to Dent (hereinafter "Dent").

Claim 15 is directed to a system for call admission control in a fast dynamic channel allocation wireless communication system comprising: "a radio network controller comprising; a memory, for storing WTRU data and cell data received from said measurement collection device; and a radio resource management (RRM)

device accessing said memory to make call admission control decisions". Gustavsson does not disclose the use of such a memory. The inclusion of a memory in the radio network controller in the present invention and its use by the RRM offers considerable advantages over the disclosure of Gustavsson. A principal advantage of the memory is that it stores information used to make call access control decisions. Consequently, this information does not need to be reacquired every time the RRM makes a call admission control decision. This saves considerable time and resources as information stored in the memory does not need to be continuously re-downloaded every time the controller needs to make a decision/assessment. As Gustavsson does not disclose every element of the system recited in claim 15, it is not anticipated by Gustavsson.

With regard to the Examiner's rejection of claims 1, 3-4, and 14 over Sexton in view of Dent, neither Sexton nor Dent, alone or in combination, teach or suggest the invention disclosed in claim 1. Sexton teaches a method whereby a "mobile station with a high bandwidth requirement is preferentially granted system resources by being assigned a plurality of timeslots per frame for forming one radio information block, and is operated with a non-convolutional modulation format and with turbo channel coding" (Abstract). The present invention does not use such "radio information blocks". Rather, code sets are assigned to timeslot sequences. Each successful assignment is considered to be a solution and each solution

provides information as to which timeslots and spreading factor code are to be used. An optimal code, with the lowest weighted total interference signal code power (ISCP) is then selected for responding to the call admission request (paragraphs 0023-0024). Additionally, the present invention does not require the use of turbo channel or other iterative coding. As such, the method recited in claim 1 is not obvious over of Sexton.

The method of claim 1 recites "allocating codes for the selected solution; recording a physical channel resource allocation information for the selected solution". The Examiner asserts that Dent teaches the allocating and recoding elements recited in claim 1 citing the following excerpt from Dent:

"at least one second station which sorts the first stations into groups requiring similar second transmitting power and allocates a unique frequency to each group and a unique time slot to each first station in each group, whereby time slots allocated to a same frequency by said at least one second station are associated with a same second station transmitting power." (column 7, lines 47-55)

As can be clearly seen from the previous excerpt, the system taught in Dent does not allocate codes for the selected solution and does not record physical channel information as recited in claim 1, consequently it is not obvious in view of it.

Furthermore, Dent discloses a system and method that estimates the appropriate power level for transmission to a new mobile link by comparing the power of all ongoing transmissions on frequencies that have at least one empty time

slot (column 4, lines 32-40). A mobile requesting admission is then allocated a time slot on an appropriate frequency, if one is available with enough power. If a time slot with enough power is not available then "the highest power transmission is smoothly increased to the estimated requirement for the new mobile and the new mobile allocated an unused time slot on that frequency, preferably that containing the least interference" (column 4, lines 40-44).

Claim 1 recites a method comprising "assigning a code set to a timeslot sequence, wherein each successful assignment is considered to be a solution; selecting the solution having the lowest weighted total interference signal code power". This is not the same as the method taught in Dent. In Dent, allocation to a specific frequency is determined primarily by the availability of power with a preference for the frequency containing the least interference. This is in contrast the present invention where the call is specifically allocated to the timeslot with the lowest weighted interference.

Based on the foregoing remarks, the combination of Sexton and Dent do not lead one of ordinary skill in the art to the invention recited in independent claim 1. Therefore, claim 1 is distinguishable over the cited references. Because the independent claim is distinguishable over the cited references, the dependent claims (i.e., claims 3-4, and 14) are also distinguishable over the cited references without the need for additional comment.

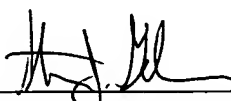
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Application No.: 10/725,787

It is respectfully submitted that the foregoing amendments and remarks place pending claims 1-15 in condition for allowance. Accordingly, entry of this amendment as well as reconsideration and allowance of pending claims 1-15 are respectfully requested.

If the Examiner does not believe that the claims are in condition for allowance, the Examiner is respectfully requested to contact the undersigned at 215-568-6400.

Respectfully submitted,

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